

# **ABSTRACT**

The purpose of my thesis is to analyse and generally describe an annulment of arbitral award in international commercial arbitration.

The reason for my research is an interesting topic, which has not been described in detail yet and the aim of this thesis is to look at this institute from the perspective of relevant domestic and foreign authors and legislation of various countries. Furthermore the thesis aims to highlight possible dangers which accompany the process of annulment of the award, or the process after its setting aside.

The thesis is composed of six chapters, each of them dealing with different aspects of setting aside of an award in International commercial arbitration.

Chapter One is introductory and describes the history, the legislation and explains advantages and disadvantages of the international arbitration as a whole.

Chapter Two defines basic terminology used in the thesis. The chapter is subdivided into three parts. Part One describes arbitration and explains its main features. Part Two deals with domestic vs. international arbitration, explains the term “commercial” and foreign arbitral award vs. domestic arbitral award.

Chapter three concentrates on relation between state and arbitration courts and the state’s auxiliary and control function towards the arbitration.

Chapter four describes the review of the award by the arbitrators as opposite to the state court’s review.

Chapter five examines the annulment of an arbitral award in international commercial arbitration. It provides an outline of various reasons for setting aside of an award and highlights possible obstacles that can encounter the party to a dispute. Conclusions are drawn in this chapter as well.

Chapter six examines relevant Czech legislation. It is subdivided into two parts and provides an outline of relevant Czech case law and investigates Czech Arbitration act.